



## MUSKEGON BOARD OF CIVIL SERVICE COMMISSIONERS

### Regular Meeting Minutes

Wednesday, December 10, 2003

8:30 A.M.

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#### I. CALL TO ORDER

The meeting was called by President Deborah Smith at 8:47 a.m.

Others present: Commissioners Floyd DeForest and Ray Murdaugh; Civil Service Personnel Director Karen Scholle; Police Chief Anthony Kleibecker; Police Captain John Workman; City Attorney John Schrier; Assistant City Manager Lee Slaughter.

#### II. MINUTES

**Motion by DeForest, support by Murdaugh, to approve the minutes of the November 5, 2003, regular Civil Service Commission as written.**

**VOTE: Three yeas; zero nays. Motion carried.**

#### III. ACTION AGENDA

##### A. Request for Personal Leave of Absence

The Commission considered a request for a personal leave of absence from Park Supervisor Bernadette Young.

**Motion by DeForest, support by Smith, to approve the personal leave of absence for Park Supervisor Bernadette Young.**

**VOTE: Yeas, Smith and DeForest; Nay, Murdaugh. Motion carried.**

##### B. Request to Revoke Intermittent FMLA Leave of Absence

The Commission considered an approved request from DPW management to revoke intermittent leave for the care of a new born for Joseph Bishop, as intermittent leave proved disruptive to departmental operations. Additionally, intermittent leave for new born care is not required by the Family and Medical Leave Act.

**Motion by Murdaugh, support by DeForest, to revoke the intermittent FMLA leave of absence for Joseph Bishop for new born child care.**

**VOTE: Three yeas; zero nays. Motion carried.**

##### C. Unauthorized Absence Policy Proposal

The Commission was presented with a policy proposal to reduce to writing the long-standing issue of out-of-benefit/no pay absences.

**Motion by Murdaugh, support by DeForest, to approve and adopt the proposed Unauthorized Absence policy.**

**VOTE: Three yeas; zero nays. Motion carried.**

##### D. Open Recruitments

The Commission took no action upon changing the current open recruitment procedures. Applications will continue to be accepted for Police Officer, Firefighter, and Customer Service Representative I.

#### IV. CIVIL SERVICE PERSONNEL DIRECTOR'S REPORT

A. Reduction in Force

The Commission was updated on the status of layoff in that that two employees from Local 517M DPW currently are laid-off, with additional unrepresented employees scheduled for layoff on December 31, 2003.

B. 2003 Firefighter Recruitment

With the assistance of Fire Marshall Major Metcalf and Acting Fire Inspector Curtis Adams, who volunteered to serve on the interview panel, the oral exams for the 2003 firefighter recruitment were completed. The Fire Marshall and Acting Fire Inspector were the only available 40-hours per week fire employees.

#### V. STATUS OF RECRUITMENTS

- A. Assistant City Engineer: Eighteen applications on file; awaiting direction from DPW management.
- B. City Seasonals 2003: With 273 applications on file; fall program staffing is nearly complete.
- C. Customer Service Representative I 2003: Ninety-three applications on file.
- D. Customer Service Representative II 2003: Sixty-four applications on file.
- E. Finance Clerk: As the most senior transfer applicant, Sue Sutherland assumes the position of CNS Finance Clerk effective 1-4-04.
- F. Fire Battalion Chief: As no applicants met the original posting requirements, a revised posting was issued 11-21-03. This posting includes all current fire department captains (Groups 1 and 2), per the fire fighters union contract.
- G. Firefighter 2003: With the assistance of the Fire Marshal and Acting Fire Inspector, interviews took place on 12/8-9 and 12/15-16.
- H. Firefighter 2004: Thirty-four applications on file.
- I. Fire Inspector: There are seven candidates for this position. Study guides information is out, with the written test scheduled for January 5, 2004.
- J. Police Lieutenant: Sergeant Shawn Bride promoted to this position as of 11-16-03.
- K. Police Officer 2003: Julie Sanderson began employment on 11-24-03.
- L. Police Officer 2004: There are 110 applications on file.
- M. Police Sergeant: Written testing completed; oral exams held on 12-11-03. Officer Jon Baker promotes to this position effective 1-4-04.
- N. Water Plant Operator: Revised posting out 12-05-03; application deadline 12-19-03.

#### VI. APPOINTMENTS

A. **New Appointments**

**Permanent**

Julie Sanderson, Police Officer, 11/24/03.

**Seasonal/Part Time**

Michael Dodge, Program Leader, 9/10/03.

Tommie Elliott, Facility Supervisor I, 11/5/03.

Isaiah Kirksey II, Program Leader, 11/5/03.

Valisa Maki, Lifeguard, 11/4/03.

Edward Washington Jr., Program Leader, 11/5/03.

B. **Promotions:**

**Permanent Employees**

Shawn Bride, promoted from Police Sergeant to Police Lieutenant, 11/16/03.

**Seasonal/Part Time**

**C. Transfers**

**Permanent Employees**

**Seasonal/Part Time**

**D. Reclassifications**

**Permanent Employees**

Arthur Backstrom, returned to Fire Lieutenant from Acting Fire Captain, 12/1/03.

Kenneth Chudy, returned to Battalion Chief from Acting Fire Chief, 12/1/03.

Mark Johnson, returned to Fire Captain from Acting Battalion Chief, 12/1/03.

Barry Searles, returned to Firefighter position from Acting Fire Lieutenant, 12/1/03.

**Seasonal Employees**

**E. Temporary Assignments**

**Permanent Employees**

**Seasonal/Part Time**

**F. Other**

**Permanent Employees**

Garrett Anquilm III, Equipment Operator, (*layoff from Leisure Services Maintenance Worker III*), 11/3/03.

Eric Buckley, Equipment Operator, (*layoff from Leisure Services Maintenance Worker III*), 11/3/03.

John Schultz, Inventory Stockroom Clerk, (*layoff from Environmental Inspector*), 11/11/03.

Leigh Smith, Environmental Inspector, (*layoff from Housing Inspector*), 11/3/03.

Andy Twork, Mechanic, (*bumped from Inventory Stockroom Clerk position by John Schultz*), 11/25/03.

**Seasonal/Part Time**

**VII. DISCIPLINARY ACTIONS**

**A. Warning Letters**

**Permanent Employees**

Elton Williams, Water/Sewer Maintenance Worker, for Group 1 violation, first offense, 10/27/03.

**Seasonal/Part Time**

**B. Suspensions**

**Permanent Employees**

Rob Lukos, Leisure Services Maintenance Worker III, 1-day suspension, unserved, for Group 1 offense, second violation, 11/14/03.

**Seasonal/Part Time**

**C. Terminations**

**Permanent Employees**

**Seasonal/Part Time**

**VIII. SEPARATIONS**

**A. Resignations**

**Permanent Employees**

Shawna Hull, Customer Service Rep II, 11/21/03.

Mark Klingel, Police Officer, 11/15/03.

**Seasonal/Part Time**

**B. Job Terminations**

**Permanent Employees**

**Seasonal/Part Time**

Brett DeCou, Marina Aide, 10/11/03.

Michael Dodge, Playground Leader, 9/8/03.

Daniel Frazier, Marina Aide, 10/23/03.

Jessica McGettigan, Marina Aide, 10/17/03.

Kevin Santos, Marina Aide, 11/5/03.

**C. Other**

**Retirements**

**Layoffs (Permanent Employees)**

Garrett Anguilm III, Leisure Services Maintenance Worker III, (*bumped to Equipment Operator*), 10/31/03.

Eric Buckley, Leisure Services Maintenance Worker III, (*bumped to Equipment Operator*), 11/2/03.

Matthew Gillette, Mechanic, (*bumped by Andy Twork*), 11/25/03.

Brandon Gunia, Equipment Operator, 11/3/03.

John Schultz, Environmental Inspector, (*bumped to Inventory Stockroom Clerk*), 11/10/03.

Leigh Smith, Housing Inspector, (*bumped to Environmental Inspector*, 10/31/03.

Andy Twork, Inventory Stockroom Clerk, (*bumped to Mechanic position*), 11/25/03.

**Military Leave**

Charles Flynn, Police Sergeant, 11/5/03.

**Seasonal/Part Time**

Jerry Temple, Crossing Guard, 11/17/03 (Deceased)

**IX. OTHER PERSONNEL ACTIONS**

**A. Certificates of Training Excellence**

**Emergency Medical Technician – Basic**

Brian Lenoir, Firefighter, 10/20/03.

**MFFTC INSTRUCTOR ORIENTATION**

Joseph Hannon, Fire Lieutenant, 10/18/03.

**B. Letters of Commendation**

Scott Anderson, Police Officer, received a letter of appreciation via Thomas Fine, Police Sergeant, from Dr. Kimberly A. Arsenault, Supervisor of Special Education at North-East Education Center in Muskegon, for his exceptional work the schools staff and students, 10/30/03.

Pete Rollenhagen, Leisure Service Maintenance Worker II, received a letter of recognition via Ric Scott, Director Leisure Services, from David B. Merwin, President of Muskegon Laker Soccer Club, for his work in developing three soccer fields at Reese Field, 10/29/03.

soccer

## C. Reassignment of Duties

## X. OTHER BUSINESS

### A. Expenditures for Temporary Employees, Office Services Only

*Manpower:* One temporary employee (\$1,118.49) for month of October 2003.

*Kelly Services:* No expenditures for October 2003.

### B. Administrative Hearing for Connie Wallace

In response to Ms. Wallace's October request for an administrative hearing before the Civil Service Commission regarding her termination of employment, in November the hearing date was set for December 10, 2003.

On December 1, 2003, Ms. Wallace e-mailed the Civil Service Director a request to change the date of the hearing as she planned to be out of town on December 10. Due to the short notice and work schedule complications for Commissioners Smith and Murdaugh, the CSC unanimously declined to reschedule the hearing.

The hearing was held on December 10, 2003. Ms. Wallace did not appear on her own behalf for the hearing. As Ms. Wallace did not withdraw her appeal, City Attorney John Schrier indicated that the hearing needed to proceed as Ms. Wallace remained entitled to it. City Attorney Schrier further indicated that on November 17, 2003, he sent a letter to Ms. Wallace asking that she advise him if she planned to have an attorney represent her at the hearing. Ms. Wallace did not respond to the request.

On behalf of the City, Attorney Schrier introduced the Police Department's documentary evidence, Exhibits 1-11, supporting the termination of Ms. Wallace's employment. No other materials were provided for consideration in the matter.

**Motion by DeForest, support by Murdaugh, to uphold the termination of Connie Wallace's employment with the City of Muskegon.**

**VOTE: Yeas, DeForest, Murdaugh, Smith; zero nays. Motion carried.**

## XI. ADJOURNMENT

With no further business to attend to, the meeting adjourned at 9:17 a.m.

Submitted by,

Karen A. Scholle  
Civil Service Personnel Director

The City will provide necessary appropriate auxiliary aids and services, to individuals with disabilities who want to attend the meeting, upon 24-hour notice to the City of Muskegon. Please contact 933 Terrace Street, Muskegon, MI 49443 or by calling (231) 724-6716 (voice) or (TDD) (231) 724-6773.

(12 03 CSC Minutes)